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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/411,400	10/04/99	GELLERT	J P99065

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CANADA

AIR MAIL

EXAMINER

SMITH, S

ART UNIT

PAPER NUMBER

3729

DATE MAILED:

11/17/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/411,400

Applicant(s)

Gellert

Examiner

Sean Smith

Group Art Unit

3729



☒ Responsive to communication(s) filed on Oct 4, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 15-26 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 15-26 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mak in view of Gellert. *Potter* <sup>49</sup>

Regarding claim 15, 16, 19 and 22-24, Mak discloses a injection molding apparatus comprising a nozzle (10) a inner portion (12) having a melt bore (18). Mak fails to disclose a tip insert bonded to the inner portion. Gellert discloses the bonding process of the tip to the inner portion (column 3 ln 51-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide a securement means of the separate ends of the apparatus since a means for attaching two mating parts are known. The bonding would create a tight bond between the inner portion using a strong adhesive. Furthermore using different types of brazing material is known to one of ordinary skill in the art, since the difference bonds would have different strength requirements which the different brazing material would provide a stronger bond between the different types of attachments.

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Regarding claims 17 and 25, Mak discloses the heating element as electrical (54)

Regarding claims 20 and 21, where Mak is relied upon as above, Gellert discloses a tip (32) having a tapered end that extends outward Fig 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to design a insert tip having a desired shaped to project into the cavity having a uniformed configuration, thus providing a mating part.

Regarding claims 18 and 26, where Mak is relied upon as above, Gellert discloses the heating element (76) is brazed in the spiral grooves (78).

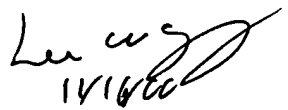
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to prove a metal to metal bond to place the heating element around the inner portion since the heating needs to heat the inner portion to prove the melt bore with sufficient temperature needed to establish a heated core.

*Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TySean Smith whose telephone number is (703) 305-0831, fax (703) 308-7058.

SS

November 16, 2000

  
LEEYOUNG  
SUPERVISORY PATENT EXAMINER  
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